

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C.

In The Matter Of)

Amendment of Section 73.202(b)
Table of Assignments
FM Broadcast Stations
(Galesburg, Illinois))

Docket No. _____

RM- _____

To: Chief, Policy and Rules Division

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

ORIGINAL

Petition for Rulemaking

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Northern Broadcast Group ("Northern"), licensee of WGBQ(FM), Galesburg, Illinois, by its attorneys and pursuant to Sections 1.401 and 1.420 of the Commission's Rules, hereby requests that the Commission institute a rulemaking proceeding to amend the FM Table of Assignments, Section 73.202(b) of the Commission's Rules. Specifically, Northern requests that the allotment for Galesburg, Illinois be changed from 224A to 224B1 to allow Northern to upgrade its facility.

1. As set forth in the attached engineering statement of D.L. Markley & Associates, Inc., the allotment for Channel 224 at Galesburg, Illinois, which is currently licensed to Northern, may be upgraded from Channel 224A to 224B1 in compliance with all Commission Rules and Policies. In order to accomplish the change, however, the reference coordinates for a vacant allotment at Ottumwa, Iowa must be modified. This vacant allotment, reserved for KTWB(FM), Ottumwa, Iowa will not be adversely affected by a change in its reference coordinates. Thus, the Commission's Rules do not prohibit the change in allotment for Galesburg. *See In the Matter of Amendment of Section 73.203(b), Table of Allotments, FM Broadcast Stations (Fair Bluff, North Carolina), MM Docket 95-44, RM-8602, DA 95-1656, released August 2, 1995; Engineering*

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Statement of D.L. Markley & Associates, Inc., dated August 18, 1995.

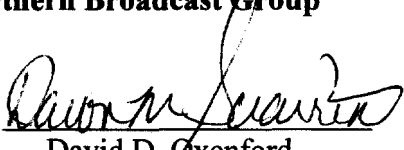
2. Adoption of this proposal serves the public interest by allowing a significant service improvement to the Galesburg, Illinois community. The proposal will allow Northern to upgrade its facility at its present transmitter site and provides Northern with the opportunity for operation with better service to its community of license and additional service to the surrounding areas.

3. The requested higher class use of its existing channel is mutually exclusive with the current allotment, and thus, expression of interest in the requested higher channel will not be allowed. *See FM License Upgrading*, 60 RR 2d 114, 118-119 (1986); 47 CFR § 1.420(g).

Therefore, Northern respectfully requests that the Commission expeditiously adopt the proposal and a) allot Channel 224B1 to Galesburg, Illinois, b) delete the allotment of Channel 224A to Galesburg, Illinois, c) modify Northern's license to specify operation on Channel 224B1 and d) modify the reference coordinates for the Class C3 allotment at Ottumwa, Iowa to 41° 00' 00" North, 92° 33' 10" West.

Respectfully submitted,

Northern Broadcast Group

By: 

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Its Attorneys

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January 16, 1996

PETITION FOR RULEMAKING

The following engineering statement and attached exhibits have been prepared for Northern Broadcast Group, Inc., licensee of FM broadcast station WGBQ at Galesburg, Illinois and are in support of their Petition for Rulemaking to modify Section 73.202(b), the Table of Allotments, of the Federal Communications Commission's Rules and Regulations.

WGBQ is currently licensed on FM channel 224 as a Class A facility. The petitioner wishes to have the allocation upgraded to a Class B1. The new Table of Assignments would be as follows:

| <u>City</u> | <u>Allotment</u> | |
|---------------------|------------------|-----------------|
| | <u>Existing</u> | <u>Proposed</u> |
| Galesburg, Illinois | 224A, 235B | 224B1, 235B |

The proposed change in the Table of Allotments could be accomplished with reference coordinates of 41° 02' 50" North, 90° 27' 30" West for the proposed Class B1. To accomplish this, it is necessary to change the reference coordinates for a vacant allocation at Ottumwa, Iowa. It is requested that those coordinates be changed to 41° 00' 00" North, 92° 33' 10" West.

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The vacant allotment at Ottumwa was the result of MM Docket No. 89-365 which was effective on September 10, 1990. The site was restricted and the allocation was reserved for FM broadcast station KTWB at Ottumwa. The Commission's database demonstrates that no application is on file for that allotment at this time. Therefore, there is no impediment to changing the reference coordinates for that allotment. Such a change would permit an upgrade in the allocation for Galesburg, Illinois while maintaining the allotment at Ottumwa at a location which would permit city grade service to be provided to the entire community of Ottumwa.

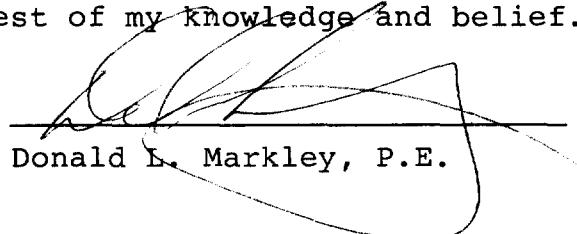
It is respectfully submitted that a change of this type best serves the public interest since it does not unduly restrict the allotment at Ottumwa and permits WGBQ to expand its service area.

The attached exhibits contain a study of spacings from the proposed Galesburg site and the proposed Ottumwa site to all other stations or allotments of concern. The study for Galesburg, Illinois demonstrates that the proposed reference coordinates meet all spacing requirements to all existing or proposed facilities with

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the exception of the vacant Ottumwa, Iowa allotment. If the Ottumwa reference coordinates are changed to those requested, the spacing from the proposed Galesburg allotment to the new Ottumwa allotment would be 176.24 kilometers which is well in excess of the required 175 kilometer value. The study for Ottumwa, Iowa is based upon the coordinates contained in the Petitioner's request and clearly demonstrates that the requested coordinates will fully meet all of the Commission's spacing criteria to all existing or proposed stations or allotments. The new Ottumwa coordinates would be 22 kilometers from the furthest part of the city of Ottumwa while a Class C3 facility operating with the maximum facilities for that class of station would cause the 70 dBu. contour to be in excess of 23 kilometers from the transmitter site. Therefore, the proposed change in coordinates does not place any hardship on the Ottumwa allotment or cause it to be less usable in that community.

The preceding statement and attached exhibits have been prepared by me or under my direction and are true and correct to the best of my knowledge and belief.



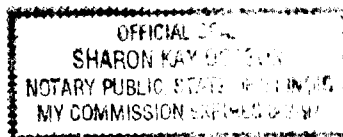
Donald L. Markley, P.E.

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Subscribed and sworn to before me this 17 Day of August, 1995.

Sharon Dotson
Notary Public

My commission expires:



Single Channel Study For: GALESBURG, IL On Ch. 224 B1 - 92.7 Mhz.

States Searched: IL,WI,IA,MO
Run Date: 08-17-1995

41° 02' 50" N.
90° 27' 30" W.

| CHANNEL | ALLOTMENT OR STATION | CLASS | CALCULATED - KM. (MI.) | REQUIRED KM. | BEARING Deg. T. |
|----------|----------------------|--------|---------------------------|-----------------|--------------------|
| 221 | USED Kewanee | IL A | 48.22(29.96) | 48 | 65.30 |
| 221 WJRE | LIC Kewanee | IL A | 48.22(29.96) | 48 | 65.30 |
| 222 | NO CONFLICT | | | | |
| 223 | USED Dekalb | IL B | 169.51(105.33) | 145 | 56.50 |
| 223 WDEK | LIC Dekalb | IL B | 169.51(105.33) | 145 | 56.50 |
| 223 WKXQ | ADD Rushville | IL A | 102.26(63.54) | 96 | 189.50 |
| 224 | USED Galesburg | IL A * | 15.78(9.80) | 143 | 126.90 |
| 224 WGBQ | LIC Galesburg | IL A * | 15.78(9.80) | 143 | 126.90 |
| 224 WBWN | LIC Le Roy | IL A | 158.94(98.76) | 143 | 116.00 |
| 224 WQLZ | CP Taylorville | IL B1 | 175.26(108.90) | 175 | 152.50 |
| 224 | USED Taylorville | IL B1 | 188.70(117.25) | 175 | 152.70 |
| 224 | VACANT Ottumwa | IA C3* | 168.15(104.48) | 175 | 272.00 |
| 224 KTTA | LIC Ottumwa | IA A | 169.11(105.08) | 143 | 269.80 |
| 225 KATF | LIC Dubuque | IA C1 | 165.05(102.56) | 161 | 355.50 |
| 225 | USED Dubuque | IA C1 | 165.05(102.56) | 161 | 355.50 |
| 225 KGRC | LIC Hannibal | MO C1 | 166.94(103.73) | 161 | 209.00 |
| 225 | USED Hannibal | MO C1 | 166.94(103.73) | 161 | 209.00 |
| 226 | VACANT Muscatine | IA A | 63.56(39.49) | 48 | 306.00 |
| 226 NEW | APP Muscatine | IA A | 73.06(45.40) | 48 | 301.30 |
| 227 | USED Peoria | IL B | 90.05(55.96) | 71 | 120.30 |
| 227 WMXP | LIC Peoria | IL B | 90.05(55.96) | 71 | 120.30 |
| 277 | NO CONFLICT | | | | |
| 278 | NO CONFLICT | | | | |

*-Short Spaced

Only listings with clearances less than 32 Km. are shown.

This study utilized a copy of the FCC FM Database as published monthly by the National Technical Information Service. D. L. Markley & Associates, Inc. believes this information to be accurate and current. However, D. L. Markley & Associates, Inc. does not assume any responsibility for any erroneous or incomplete data furnished as part of that database.

Single Channel Study For: OTTUMWA, IA On Ch. 224 C3 - 92.7 Mhz.

States Searched: IA,IL,MO,KS,NE,WI
Run Date: 08-17-1995

41° 00' 00" N.
92° 33' 10" W.

| CHANNEL | ALLOTMENT OR STATION | CLASS | CALCULATED - KM. (MI.) | REQUIRED KM. | BEARING Deg. T. |
|-------------|----------------------|--------|---------------------------|-----------------|--------------------|
| 221 KRLS | LIC Knoxville | IA C3 | 55.16(34.28) | 43 | 316.90 |
| 221 | USED Knoxville | IA C3 | 57.74(35.88) | 43 | 308.30 |
| 222 | NO CONFLICT | | | | |
| 223 KJJY-FM | DEL Ankeny | IA C2 | 124.92(77.62) | 117 | 306.70 |
| 223 | USED Ankeny | IA C2 | 124.76(77.52) | 117 | 306.70 |
| 223 KJJY-FM | LIC Ankeny | IA C2 | 124.92(77.62) | 117 | 306.70 |
| 223 KJJY-FM | ADD West Des Moines | IA C2 | 124.92(77.62) | 117 | 306.70 |
| 224 | VACANT Ottumwa | IA C3* | 12.19(7.58) | 153 | 40.50 |
| 224 KTTA | LIC Ottumwa | IA A * | 7.55(4.69) | 142 | 68.60 |
| 225 KGRC | LIC Hannibal | MO C1 | 171.55(106.60) | 144 | 145.10 |
| 225 | USED Hannibal | MO C1 | 171.55(106.60) | 144 | 145.10 |
| 226 | NO CONFLICT | | | | |
| 227 KIOA-FM | CP Des Moines | IA C | 106.03(65.88) | 96 | 306.30 |
| 227 | USED Des Moines | IA C | 103.19(64.12) | 96 | 313.20 |
| 227 KIOA-FM | LIC Des Moines | IA C | 103.19(64.12) | 96 | 313.20 |
| 277 | USED Pella | IA C1 | 54.82(34.06) | 24 | 326.40 |
| 278 | NO CONFLICT | | | | |

*-Short Spaced

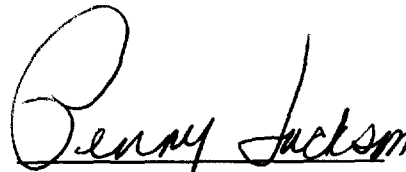
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CERTIFICATE OF SERVICE

I, Penny Jackson, do hereby certify that I have this 16th day of January, 1996, mailed by first-class United States mail, postage prepaid, copies of the foregoing "**PETITION FOR RULEMAKING**" to the following:

*Mr. Vincent A. Pepper
Pepper & Corazzini
1776 K Street, Northwest
Suite 200
Washington, D.C. 20036
(Counsel for KTWAFM)


Penny Jackson

***Hand Delivery**